

**Town of Turtle**  
**Planning Commission Meeting Minutes**  
**March 19, 2008 7:00 p.m.**

- 1) Call to Order/Pledge of Allegiance: The meeting was called to order at 7:00 pm by chairperson Roger Anclam.
- 2) Roll Call/Quorum Call: Planning Commission members present were Vice Chair Don Jones, Bill Walter, Dan Oldenburg, Les Oldenburg, and Jim Fleck. Commission member absent were Dan Oldenburg and Shelly Hahn. Others present included Town Attorney Bill Henderson, Zoning Administrator Mike Birkholz, and the Town Board for the Smart Growth discussion.
- 3) Approval of Agenda: Don Jones made a motion to approve the agenda. Les Oldenburg seconded the motion. The motion carried by all ayes.
- 4) Citizen Questions/Comments: None
- 5) Zoning Administrator Report: Mike Birkholz reported that there had been one building permit issued.
- 6) Commission Comments: None
- 7) Approval of Minutes:
  - a) Feb.20, 2008: Don Jones made a motion to approve the minutes. Bill Walter seconded the motion. The motion carried by all ayes.

Les Oldenburg suggested to move New Business a) , then do Unfinished Business a)-d), then New Business b).

- 8) New Business:
  - a) Land Division and Conditional Use Permit applications – Twist: Roger Anclam read the applications. Jim Zanton, Shorewest Realestate provided copies of the plat. Mr. Zanton explained that it was a 40 acre parcel where 1 acre had been divided off many years ago. Faye Twist has 39 acres left and intends to divide and sell 3 to 4 acres with the buildings and leave 35 acres.

Don Jones asked if the sale of the property was to a family member. Mr. Zanton said the party interested in the purchase was not family.

Don Jones explained that in order to divide in Ag 1 the division has be 35 acres, unless it is between parent/child.

Mr. Zanton explained that the remainder of the land will be farmed by Lee Twist as it has been for years.

Roger Anclam asked if the Commission can allow the division being it is not a parent to child division. Don Jones interprets that it is not allowed by ordinance.

Bill Henderson read the Ordinance under A1, Conditional use Permit and concluded that #1, 2, 3 were not the intention. Mr. Henderson read #6 regarding farm consolidation. Mr. Henderson's opinion that this does not fit because of the prior division and it does not appear that this is a farm consolidation. Mr. Henderson did not think that there was a provision that allowed this division.

Mr. Zanton was under the impression that the farm separation is allowed as long as you leave 35 acres.

Mr. Henderson read the definition of farm consolidation, and concluded that it does not fit, because it is not going from farmer to farmer.

Mr. Henderson suggested offering informal advice to Mr. Zanton as to proceeding to a public hearing. Roger Anclam stated that based on what was read, that it does not comply with the ordinances and would not favor recommendation to the board.

Mr. Henderson suggested that more research be done.

Don Jones asked if the whole parcel is for sale. Mr. Zanton explained that the parcel would be sold either way, as the whole 39 acres or as a smaller parcel.

Mr. Zanton asked if the matter could be tabled in order to do some more research.

Mr. Zanton asked for the public hearing to be scheduled for April.

The Public Hearing was set for April 16, 2008 at 7:15 p.m.

9) Unfinished Business:

a) RR & RAT Zoning Districts: Bill Henderson presented the proposed changes for the RR and RAT district. Mr. Henderson explained the changes to the UAT and RAT had been discussed before and that the thought was to get rid of them at that time. Mr. Henderson adapted the zoning as an overlay district. The commission still has to decide what zoning will be under the overlay.

Mr. Henderson had made a list of the property owners in the RAT districts. The lot sizes vary in size. So, what to zone under the overlay will be difficult because of nonconforming sized parcels.

Mr. Henderson suggested that it might be easier to remove the UAT and RAT all together and not use them as overlay districts. But the parcels have to have zoning appointed if the RAT and UAT is removed.

It has to be looked at parcel by parcel, possibly via a workshop with the commission and the Board.

The matter was tabled for April meeting.

b) Terrapin Acres- Update: Bill Henderson explained that they were in the process of obtaining an easement and information on Storm Water Management. There was nothing more for the Planning Commission to do at this point.

c) Cornellier Fireworks- Update: Bill Henderson explained that the information on American Pride fireworks is not relevant to the proposal from Cornellier. Mr. Henderson suggests that the ordinance be updated. More information about the types of fireworks, state law and city ordinances etc. need to be reviewed.

d) Alliant Energy- Update: A representative will be here for the April meeting.

10) New Business:

b) Smart Growth – Carrie Houston Element #4 – Transportation: Carrie Houston provided copies of the first 3 chapters that have been completed. Ms. Houston provided copies of Chapter 4, and discussed the various components of the chapter. Ms. Houston made some suggestions on updating the Land Use map. She suggested clarifying the areas by reducing the different colors used for agricultural areas that are to stay agricultural.

11) Adjournment: Les Oldenburg made a motion to adjourn at 8:50 p.m., seconded by Jim Fleck. The motion carried by all ayes.

Respectfully submitted by:

Jenniffer Jusleth  
Deputy Clerk/ Treasurer

